

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CRIMINAL CASE NO. 1:15-cr-00075-MR-DLH-1**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	<u>ORDER</u>
)	
CONLEY DALE PATTERSON,)	
)	
Defendant.)	
<hr style="width:45%; margin-left:0"/>)	

THIS MATTER is before the Court on the Defendant’s “Motion to Reconsider,” which the Court construes as an appeal of the Magistrate Judge Dennis Howell’s November 23, 2015 determination that the Defendant is not indigent. [Doc. 50].

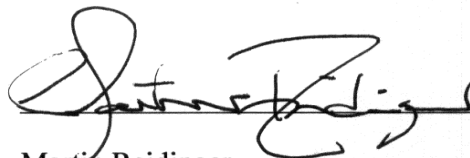
The Magistrate Judge conducted a hearing on November 23, 2015, to consider the Government’s Motion to Unseal and Disclose Documents Regarding Appointment of Counsel [Doc. 46]. As a result of that hearing, the Magistrate Judge determined that the Defendant is in fact not indigent and therefore ordered the removal of his court-appointed counsel. The docket entry for this hearing indicates that an order is “to follow.” [Minute Entry dated Nov. 23, 2015].

Ten days later, the Defendant filed the present appeal, asking this Court to reconsider the Magistrate Judge's ruling. To date, however, the Magistrate Judge has not issued a written order setting forth the findings supporting his decision. Accordingly, the Court will hold the Defendant's appeal in abeyance. Once the Magistrate Judge has issued a written order, the Defendant will have fourteen (14) days to supplement his appeal with a brief not to exceed five (5) pages. The Government's time for response shall run from the date of any supplement that is filed, or if no such supplement is filed, from the expiration of those fourteen (14) days.

IT IS, THEREFORE, ORDERED that the Defendant's Motion to Reconsider [Doc. 50], which the Court construes as a notice of appeal of the Magistrate Judge's Order, is hereby **HELD IN ABEYANCE** pending the issuance of a written order by the Magistrate Judge.

IT IS SO ORDERED.

Signed: December 14, 2015


Martin Reidinger
United States District Judge

